

REMARKS

The present Amendment amends claims 13-23 and adds new claim 24. Therefore, the present application has pending claims 13-24.

Claims 13-23 stand rejected under 35 USC §103(a) as being unpatentable over Sasou (JP No. 59-105155) in view of Yajima (JP No. 64-044520). This rejection is traversed for the following reasons. Applicants submit that the features of the present invention as now recited in claims 13-23 are not taught or suggested by Sasou or Yajima whether taken individually or in combination with each other as suggested by the Examiner. Therefore, Applicants respectfully request the Examiner to reconsider and withdraw this rejection.

Amendments were made to the claims so as to more clearly describe features of the present invention. Particularly, amendments were made to the claims to more clearly recite that the present invention is directed to a device having a power unit which supplies power to the device, first means for accepting an instruction for controlling the power unit from a managing computer via a network, wherein the instruction includes information indicating whether to turn on or off power supplied by the power unit to the device, and second means for converting the instruction into a power unit control signal. According to the present invention the second means controls the power unit based on the power unit control signal and the power unit continuously supplies power to the second means.

The features of the present invention are illustrated, for example, in Figs. 1a, 1b, 5a, 5b and 7 of the present application. For example, as illustrated in Figs. 1a, 1b, 5a and 5b the power unit corresponds to the power unit 13, the first means

corresponds to the switch 122, asynch I/F 123, and asynch I/F driver 125 and the second means corresponds to the service processor (SVP) board 121. As per Fig. 7, the remote power on/off means 292 of the remote managing computer (managing computer) 27 sends a power on/off instruction to the first means which includes the switch 122, asynch I/F 123, and asynch I/F driver 125. The first means forwards the power on/off instruction to the second means which includes the SVP board 121. The power controller unit 1212 included in the SVP board 121 controls the power unit 13 so as to turn on or off the power supplied to the computer to be managed (device) 10. Further, as illustrated in Fig. 5a the power unit 13 includes a subpower unit 131 which continuously supplies power to the second means, namely the SVP board 121.

Thus, by use of the features of the present invention as described above and as illustrated in Figs. 1a, 1b, 5a, 5b and 7, the present invention is able to remotely control, via a remote managing computer (managing computer) 27, power being supplied to a computer to be managed (device) 10 via a network 25 by the use of instructions sent via the network 25 from the managing computer 27 to the device 10. The instruction controls the power unit 13 of the device 10 by including information indicating whether to turn on or off power supplied by the power unit 13 to the device 10. The instruction including such information is converted into a power unit control signal to which the power unit 13 responds.

The above described features of the present invention now more clearly recited in the claims are not taught or suggested by any of the references of record whether taken individually or in combination with each other. Particularly, the above

described features of the present invention are not taught or suggested by Sosou or Yajima whether taken individually or in combination with each other as suggested by the Examiner. To aid in the Examiner's understanding of the differences between the features of the present invention as now more clearly recited in the claims, filed on even date herewith are full English translations of the Sosou and Yajima references. An indication that such full translations have been considered is respectfully requested.

Sosou teaches apparatus which executes diagnostics of a data processor 10 from a remote maintenance center 32 via a remote maintenance controlling part 300. As per Sosou the remote maintenance controlling part 30 selectively connects the normal operation circuit controlling part 12, or its own circuit controller, to the modem 14 or the network controlling unit 16 depending on whether a failure has occurred in the data processor 10.

Applicants fail to find any teaching or suggestion in Sosou that a power unit, which supplies power to the device, is controlled by an element which responds to an instruction from a remote apparatus through a network as in the present invention. Further, there is no teaching or suggestion in Sosou that an instruction provided from the remote apparatus to the device being managed via the network includes information which indicates whether to turn on or off power supplied to the device as in the present invention. Still further, there is no teaching or suggestion in Sosou that the ability of the element which controls the power unit is maintained by continuously supplying power to the element as in the present invention.

Therefore, Sosou fails to teach or suggest a device having a power unit which supplies power to the device and first means for accepting an instruction for controlling the power unit from a managing computer via a network, wherein the instruction includes information indicating whether to turn on or off power supplied by the power unit to the device as recited in the claims.

Further, Sosou fails to teach or suggest a device having second means for converting the instruction into a power unit control signal so that the second means controls the power unit based on the power unit control signal as recited in the claims.

Still further, Sosou fails to teach or suggest that the power unit continuously supplies power to the second means as recited in the claims.

The above noted deficiencies of Sosou are not supplied by Yajima. Therefore, combining the teachings of Sosou and Yajima in the manner suggested by the Examiner still fails to teach or suggest the features of the present invention as now more clearly recited in the claims.

Yajima teaches an automatic operation controller 10 for causing power to be supplied to a computer system 20 at a reserved timing based on an interruption generated from a timer part 15 to a microprocessor 11 forming part of the automatic operation controller 10. As taught by Yajima power is caused to be supplied to respective apparatuses constituting the computer system 20 in response to a signal from the power supply control part 17 which responds to an indication from the microprocessor 11. As taught by Yajima, once the signal from the power supply control part 17 is output from the automatic controller 10 to the computer system, a

start command is supplied from the microprocessor 11 to the computer system 20 through a system starting part 14, thereby attempting to start operation of the computer system 20. If the computer system 20 is not started after a set time, then the start command is output again from the automatic operation controller 10.

Thus, as is quite clear from the above, Yajima simply teaches that the computer system 20 receives a signal from the power supply control part 17 of the automatic operation controller 10, said signal having been generated based on a timing signal indicating a reserved time as measured by a timer part 15.

The present invention as recited in the claims differs substantially from that taught by Yajima being that according to the present invention the device to be managed includes a power unit which supplies power to the device and first and second means. Yajima does not prove any teaching of the internal structure of the computer system 20 which corresponds to the device to be managed as per the present invention. According to the present invention the device to be managed includes first means which accepts an instruction for controlling the power unit and the instruction includes information indicating whether to turn on or off power supplied by the power unit and the second means which converts the instruction and controls the power unit. Thus, as per the present invention the device being controlled includes the power unit, and the first and second means. As taught by Yajima the computer system 20 being controlled simply responds to the apparatus performing the managing computer (automatic operation controller) 10. Yajima does not describe the internal structure of the computer system 20 except to say that it includes a power unit.

According to the present invention the second means converts the instruction into a power unit control signal and the power unit is controlled based on the power unit control signal. Further, according to the present invention the power unit continuously supplies power to the second means.

There is no teaching or suggestion in Yajima that the computer system 20, which is the device being managed, includes second means which converts the signal provided by the power supply control part 17 into a power unit control signal for controlling the power unit to thereby control power supplied to the computer system 20 as in the present invention. Further, there is no teaching or suggestion in Yajima that power is continuously supplied to the second means which controls the power unit as in the present invention.

Therefore, Yajima fails to teach or suggest a device having a power unit which supplies power to the device and first means for accepting an instruction for controlling the power unit from a managing computer via a network, wherein the instruction includes information indicating whether to turn on or off power supplied by the power unit to the device as recited in the claims.

Further, Yajima fails to teach or suggest second means for converting the instruction into a power unit control signal, wherein the second means controls the power unit based on the power unit control signal as recited in the claims.

Still further, Yajima fails to teach or suggest that the power unit continuously supplies power to the second means as recited in the claims.

Thus, as is quite clear from the above, Yajima suffers from the same deficiencies relative to the features of the present invention as recited in the claims

as Sosou. Therefore, combining the teachings of Sosou and Yajima as suggested by the Examiner still fails to teach or suggest the features of the present invention as now more clearly recited in the claims. Accordingly, reconsideration and withdrawal of the 35 USC §103(a) rejection of claims 13-23 based on Sosou and Yajima is respectfully requested.

As indicated above, the present Amendment adds new claim 24 which recites many of the same features shown above not to be taught or suggested by any of the references of record, particularly Sosou and Yajima, whether taken individually or in combination with each other. Therefore, the same arguments presented above with respect to claims 13-23 apply as well to new claim 24.

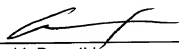
The remaining references of record have been studied. Applicants submit that they do not supply any of the deficiencies noted above with respect to the references utilized in the rejection of claims 13-23.

In view of the foregoing amendments and remarks, Applicants submit that claims 13-24 are in condition for allowance. Accordingly, early allowance of claims 13-24 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (500.34601CC3).

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP



Carl I. Brundidge
Registration No. 29,621

CIB/jdc
(703) 312-6600